



WORKMAN | NYDEGGER

1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Phone: (801) 533-9800
Fax: (801) 328-1707

FAX TRANSMISSION COVER SHEET

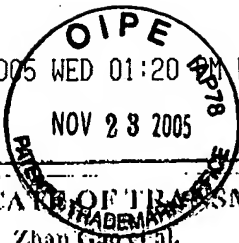
Date: November 23, 2005
To: United States Patent & Trademark Office
ISSUE FEE
Art Unit 2874
Examiner Sung H. Pak
Fax: 571-273-2885
Phone:
From: Mandy Lomeli for Eric L. Maschoff
Re: Application No. 10/706,117
Filed November 12, 2003
Our File No.: MAIKP107US

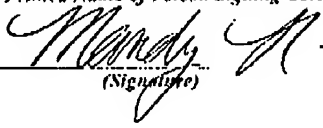
YOU SHOULD RECEIVE 7 PAGE(S), INCLUDING THIS COVER SHEET. IF YOU
DO NOT RECEIVE ALL THE PAGES, PLEASE CALL 801-533-9800

Comments:

PRIVILEGED AND CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL. INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.



CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. MAIKP107US
Applicant(s) Zhan Gao et al.			
Application No. 10/706,117	Filing Date November 12, 2003	Examiner Sung H. Pak	Group Art Unit 2874
Invention: WAVEGUIDE CROSSING			
<p>I hereby certify that this <u>See below*</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-2885</u>) on <u>November 23, 2005</u> (Date)</p> <p style="text-align: center;"><u>Mandy Lomeli</u> (Typed or Printed Name of Person Signing Certificate)  (Signature)</p> <p>Note: Each paper must have its own certificate of mailing.</p> <ul style="list-style-type: none">• Issue Fee Transmittal Letter (1 pg.)• PTOL-85B Fee Transmittal (1 pg.)• Change of Correspondence Address (1 pg.)• Comments on Examiner's Statement of Reasons for Allowance (1 pg.)• PTO-2038 Credit Card Form in amount of \$1,703.00 (1 pg.)• Certificate of Transmission by Facsimile (1 pg.)			


TRANSMITTAL OF PAYMENT OF ISSUE FEE (Large Entity) (37 CFR 1.311)				Docket No. MAIKP107US	
Applicant(s): Zhan Gao et al.					
Application No. 10/706,117	Filing Date November 12, 2003	Examiner Sung H. Pak	Customer No. 022913	Group Art Unit 2874	Confirmation No. 6226
Invention: WAVEGUIDE CROSSING					

Mail Stop Issue Fee
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith are the following for the above-identified application.

- ☒ Issue Fee Transmittal Form PTOL-85
- ☒ Utility Fee: \$ 1400.00 ☐ Design Fee: _____ ☐ Plant Fee: _____
- ☒ Publication Fee: \$ 300.00
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 23-3178 as described below.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☒ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

Dated: November 23, 2005

ERIC L. MASCHOFF
Registration No.: 36,596

cc:

Certificate of Transmission by Facsimile
This certificate may only be used if paying
by deposit account.

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. _____) on _____ (Date) _____ Signature _____ Typed or Printed Name of Person Signing Certificate

Certificate of Mailing by First Class Mail

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Correspondence
--



PATENT APPLICATION
Docket No: MAIKP107US

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Zhan Gao et al.

Serial No: 10/706,117

Filed: November 12, 2003

For: WAVEGUIDE CROSSING

Examiner: Sung H. Pak

)
)
)
)
) Art Unit
) 2874
)
)
)
)
)

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully disagrees with the Examiner's statement of reasons for allowance as set forth in the communications mailed on August 25, 2005. The Applicant concurs with the Examiner's conclusion that the prior art does not suggest or render obvious the claimed invention. However, Applicant submits that it is the claim as a whole, rather than any particular limitation, that makes each of the claims in the above-identified application allowable. No single limitation should be construed as the reason for allowance of a claim because it is each of the elements of the claim that distinguish the claim from the prior art and make it allowable.

Respectfully submitted,

Dated: November 23, 2005

By:

ERIC L. MASCHOFF
Registration No. 36,596
Customer No. 022913

11/23/05
W:\16274\23A\MI 0000002497V001.DOC